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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,641	08/31/2001	Hisashi Ohki	1614.1186	8812

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EXAMINER
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WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/942,641

Applicant(s)

OHKI ET AL.

Examiner

XIAO M. WU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/25/2006 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1 and 3-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forlenza et al. (EP 0 886 204) in view of Qureshey et al. (Pub. No. US 2002/0002039) and Yutaka et al. (JP -09026832).

As to claims 1, 5, 7 and 30, Forlenza discloses an electronic equipment (C, Figs. 1A, 1B), comprising: a main body having main display section (D); an auxiliary display section (54) fixed to the main body and configured to display status information of the electronic equipment; a plurality of buttons (92, Fig. 2) adjacent to the auxiliary display section, a lid (D) selectively moveable between an opened position (see Fig. 1A) in which the main (D) and auxiliary display (54) sections and the plurality of buttons (92) are visible and a closed position (see Fig. 1B) in which the main display section (D) is not visible but the auxiliary section (54), the plurality of buttons (92) are visible from outside of the electronic equipment when the lid is in the closed position (see Figs. 1B and 2), and a controller (55, Fig. 3) configured to display definitions or meanings of the plurality of buttons within the auxiliary display section at positions corresponding to the respective plurality of buttons (54, see Fig. 3).

It is noted that Forlenza does not specifically disclose a mode selection button, configured to instruct the operation mode of the electronic equipment, positioned adjacent the auxiliary display section at a position distinguished from the plurality of buttons positions. Qureshey is cited to teach a display device comprising a mode selection button 1216, 1264, Fig. 12A) configured to instruct the operation mode of the electronic equipment and the plurality of buttons (1821-1825) including a plurality of buttons (1841-1845) having respective instruction contents which differ, depending on the operation mode of the electronic equipment. It would have been obvious to one of ordinary skill in the art to have modified the controller of the Forlenza with the features of the meaning of the keys corresponding to the display sections according to a mode selection key as taught by Qureshey so that the user can input more functions with limited number of keys.

It is also noted that both Forlenza and Qureshey do not disclose that the auxiliary display section, the plurality of buttons including the application buttons, and the mode selected button remain visible from the outside of the electronic equipment in an intermediate position between the open and closed position of the lid. Yutaka is cited to teach a portable display including an auxiliary display section (20) for displaying information such as time and schedule, the display of a pager calling, the reception of a mail, and a pocket electronic calculator. The auxiliary display 20 continuously displays the functions for 24 hours and it can be seen all the time even when in an intermediate position between the open and closed position of the lid (see Figs. 1 and 2). It would have been obvious to one of ordinary skill in the art to have modified Forlenza and Qureshey with the features of location of auxiliary display as taught by Qureshey so that the information displaying on auxiliary display can be seen all the time.

As to claim 3, it is noted that Qureshey discloses that the plurality of buttons (1821-1825) are all provided below the auxiliary display section (1841-1845).

As to claims 4, 6 and 8, Qureshey discloses the operation mode includes at least two modes such as a portable recording medium (1854, Fig. 18G) and a news mode (1821, Fig. 20B).

As to claims 9, 14, 19, Forlenza discloses the pluralities of buttons are (13, Fig. 8) exposed when the lid is closed (see Fig. 2).

As to claims 10, 15, 20, Forlenza discloses that another auxiliary display section (e.g. the main display including more than one display sections or windows) that is covered by the lid (D) when the lid is closed (Fig. 1B).

As to claims 11, 16, 21, Forlenza discloses a main body provided with the plurality of buttons (92) and accommodating the controller, the lid member (D) being pivotally mounted on

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the main body and another auxiliary display section (54) that is provided on the main body (see Figs. 1A, 1B).

As to claims 12, 17, 22, Forlenza discloses a main body and the lid (D) being mounted to the main body for rotation between the opened and closed positions thereof (see Figs. 1A, 1B).

As to claims 13, 18, 23, Forlenza discloses the main display (D) is mounted on a main surface of the lid, in the closed position of the lid, opposes a corresponding main surface of the main body (see Figs. 1A, 1B).

As to claims 24-26, it would have been obvious to have arranged the plurality of the buttons and the mode select button in any side of the auxiliary display section because it depends how many button can be fitted for one side of screen.

As to claim 27-29, Forlenza discloses that the main and auxiliary section display sections and the plurality of buttons are visible from a common viewing position in the opened position of the lid (see Fig. 1A, and in the closed position of the lid, the auxiliary display section and the plurality of buttons and the mode select button remain visible from the common viewing position (see Fig. 1B).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1 and 3-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIAO M. WU whose telephone number is 571-272-7761. The examiner can normally be reached on 6:30 am to 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD HJERPE, can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**XIAO M. WU**  
**Primary Examiner**  
**Art Unit 2629**